

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 3576 – SB 3597

April 30, 2012

SUMMARY OF AMENDMENT (017329): Prohibits any state higher education institution that grants recognition to any student organization from discriminating against, or denying recognition to, a student organization or denying access to programs, funding, or facilities available to other student organizations on the basis of the religious content of the organization's speech or the organization's exercise of its right to determine that only persons professing the faith of the group and comporting themselves with it to qualify as members or leaders.

Defines a "state higher education institution" as a higher education institution governed by Tennessee Code Annotated Chapters Eight or Nine and any private higher education institution that receives payments from state funds derived directly from annual state tax revenue totaling more than twenty-four million dollars.

Authorizes such private higher education institutions to adopt a policy that denies recognition to a religious student organization because they maintain leadership or membership criteria based on religious beliefs; provided, that the denial is based on the condition that the institution required every recognized student organization, including those described in 20 U.S.C. § 1681 (a)(6)(A), to accept all students who apply to be members; and the institution does not allow any recognized student organization, including those described in 20 U.S.C. § 1681 (a)(6)(A), to set a limit on the number of people who can be members or use subjective qualifications to choose its members. This section shall not apply to any religious school, college, university, or other education institution of learning under U.S.C. § 2000e-2(e)(2).

Subdivisions (c)(2) and subsections (d) and (e) of Section One of the bill as amended shall be repealed on June 30, 2013.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

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Assumptions applied to amendment:

- No fiscal impact on the lottery scholarship program or expenditures from the Lottery for Education Account.
- No change in the amount of TennCare funding going to private higher education institutions that meet the definition of the amendment.
- Any change in the number of recognized student religious groups or organizations or in such groups' or organizations' activities on public higher education institution campuses will have no fiscal impact on state or local government expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

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